



*HW*  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth T. Heruth; Keith A. Miesel Confirmation No. 8233  
Serial No.: 10/825,965 Docket No.: 1023-361US01  
Filed: April 15, 2004 Customer No.: 28863  
Examiner: Unknown Group Art Unit: 3762  
Title: COLLECTING ACTIVITY INFORMATION TO EVALUATE THERAPY

CERTIFICATE UNDER 37 CFR 1.8: I hereby certify that this correspondence is being deposited with the United States Post Service, as First Class Mail, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on September 26, 2005.

By: *Patricia Cygan*

Name: *Patricia Cygan*

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendments  
Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the references listed on the attached form PTO-1449. This statement is being filed, to the best of Applicant's knowledge, before the receipt of a first Office Action on the merits.

Applicant has enclosed a copy of each foreign document cited. Copies of the U.S. patents and publications are not enclosed as this requirement has been waived by the U.S. Patent Office.

Respectfully submitted,

Date: 9/26/05

Shumaker & Sieffert, P.A.  
8425 Seasons Parkway, Suite 105  
St. Paul, Minnesota 55125  
Phone: (651) 735-1100  
Fax: (651) 735-1102

*Jason D. Kelly*  
By: Jason D. Kelly  
Reg. No. 54,213

Form 1449\*

**INFORMATION DISCLOSURE  
STATEMENT****IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number:

1023-361US01

Application Number:

10/825,965

Applicant:

Kenneth T. Heruth; Keith A. Miesel

Filing Date:

April 15, 2004

Group Art Unit:

3762

Examiner Name:

Unknown

**U.S. PATENT DOCUMENTS**

Examiner Initial	Document Number	Issue/Document Publication Date	Name	Filing Date If Appropriate
	5,732,696	03/31/1998	Rapoport et al.	
	5,782,884	07/21/1998	Stotts et al.	
	6,308,098 B1	10/23/2001	Meyer	
	2001/0037067 A1	11/01/2001	Tchou et al.	
	2002/0091308 A1	07/11/2002	Kipshidze et al.	
	6,466,821 B1	10/15/2002	Pianca et al.	
	2002/0193697 A1	12/19/2002	Cho et al.	
	2002/0193839 A1	12/19/2002	Cho et al.	
	6,539,249 B1	03/25/2003	Kadhiresan et al.	
	2004/0002741 A1	01/01/2004	Weinberg	
	6,687,538 B1	02/03/2004	Hrdlicka et al.	
	2004/0049132 A1	03/11/2004	Barron et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initial	Document Number	Publication Date	Country	Translation	
				Yes	No
	1 291 036 A2	03/12/2003	EP		
	1 308 182 A2	05/07/2003	EP		
	1 437 159 A1	07/14/2004	EP		
	WO 98/00197	01/08/1998	PCT		
	WO 02/41771 A1	05/30/2002	PCT		
	WO 02/096512 A1	12/05/2002	PCT		
	WO 2002/100267 A1	12/19/2002	PCT		
	WO 03/051356 A1	06/26/2003	PCT		

**OTHER DOCUMENTS (Including Authors, Title of Item, Page(s), Vol/Issue No., Publisher, Place of Publication)**

<b>EXAMINER</b>	<b>Date Considered</b>

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Based on Form PTO-FB-A820  
(Also form PTO-1449)

Patent and Trademark Office, U.S. Department of Commerce

